

REMARKS

Claims 24-46 were examined and acted upon in the aforesaid office action. All claims stand rejected. Claims 24, 25, 35 and 36 have been canceled. New claims 47, 48 and 49 have been inserted, leaving claims 26-34 and 37-49 in the application.

New claims 47, 48, and claims 26-34 depending therefrom, relate to the method.

New claim 49, and claims 37-46 depending therefrom, relate to the apparatus, or device.

New claim 47 presents the method in simpler and more definite terms. The method includes the steps of (1) projecting a laser beam and focusing the laser beam along an axis and onto the workpiece at a processing site, (2) projecting a non-laser measuring light of less luminosity than the laser beam along the same axis and onto the processing site, and (3) directly measuring light reflected along the same axis from the processing site and to an optical monitoring system for monitoring system for monitoring the surface of the workpiece. Kasner and Beyer, cited against the previous claims, do not appear to show or mention a measuring light source in addition to a laser beam source. Kasner discloses two laser transmitters with reflected light from one being directed to an optical radiation detector.

In the claims now submitted, the measuring light beam is limited to a non-laser beam having less luminosity than the laser beam, to distinguish from the two laser beams of Kasner. The luminosity feature is discussed in the first full paragraph of page 14 of the English translation of the specification.

Claim 49 has been similarly limited.

Attorney for Applicant inquired of the German associate in this case as to what "external" meant with respect to the "external measuring light source" which appears on page 1 of the specification, line 4 of the large paragraph and used in the previous claims.

We are advised that the term "FremdmeBlichtequelle", which had been translated as "external measuring light source" actually means that there is used a light source the only purpose of which is to illuminate a workpiece with special shapes in order to receive reflected light for measuring purposes. The term has been dropped from the claims inasmuch as its translated English meaning is somewhat different from the German meaning. However, this explanation is entered into the record to facilitate better understanding of the method and device as described in the specification.

It appears that the new claims stand clear of the teachings of Kasner and Beyer and that allowance thereof is now in order.

Accordingly, allowance of claims 26-34 and 37-49 are most respectfully requested.

A revised Abstract is enclosed herewith, as required by the Examiner.

Please charge any additional fees due in connection with this submission, or credit any overpayment, to Deposit Account No. 16-0221.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott R. Foster". The signature is fluid and cursive, with the first name "Scott" and last name "Foster" clearly distinguishable.

Scott R. Foster

Registration No. 20,570

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02154

Tel. (781) 290-0060

TS/STUR37.AMD

STUR-37